

Application Serial No. 09/972,076

REMARKS

Claims 1-2, 4-5, 8-9, 10, 12-13, 16-17, 34-38, 40-47, 49, 52, 57-61, 63-70, 72, and 75 are rejected under 35 USC 103(a) as being unpatentable by Courts in view of Harrison and further in view of Abu El Ata. Claims 18-19, 23-27, 31-33, 39, and 62 are rejected under 35 USC 103(a) as being unpatentable by Courts in view of Abu, Harrison, and Marullo. Claims 22 and 30 are rejected under 35 USC 103(a) as being unpatentable by CHM in view of Bertrand. Claims 51, 53-56, 74, and 76-79 are rejected under 35 USC 103(a) as being unpatentable by CHM and Kendall in view of Humpleman.

In the interest of furthering prosecution, Applicants cancel claims 1-47, 49-70, and 72-79 and submit new claims 80-84.

Claim 80 recites a method for automating real-time decisions comprising designing rules; receiving approval of a user; automatically generating code, the code comprising rule service software, a mark-up language schema, a mark-up language parser and builder, and a Web page; transmitting data from a Web server to a decision server; receiving external data on the decision server; testing the validity of rules with the decision server by generating statistics on how often the rules are used; and sending the results of the validity tests to the client system for analysis by the user. The rules include rules, models, and strategies. See, for example, page 6.

Courts discloses an enterprise hub system and method for managing an enterprise web system with a business layer 16, which includes business rules; the business rules are implemented as business objects 22 within business layer 16. Column 3, lines 61-65. The presentation layer 14 can generate web pages for interaction with the user. Column 3, lines 34-35. The workbench 42 contains a page development and management environment that edits pages within presentation layer 14. Column 3, lines 37-40. Trend data collection layer 32 stores data based upon user activity in a trend database 36. Column 3, lines 3-4.

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Courts does not disclose using external data to create rules. Courts insulates the different functional areas from each other. Thus, Courts is specifically designed to prevent external data from being received by the system. Profile database 38 and enterprise space 26 may provide additional, relevant data but that data is not **external** to the system. The profile database 38 tracks the interaction of customers using the enterprise. That information is therefore **internal** to the system. The enterprise space 26, furthermore, contains applications, databases, and software **internal** to the system. Column 4, lines 17-20.

Courts does not disclose testing the validity of rules by analyzing statistics on how often the rules are used. Courts discloses collecting trend data based upon user activity and testing to reduce the complexity of quality assurance and improve the overall robustness of the system. Column 4, lines 8-10. The statistics recited by claim 80 are generated by passing a large number of transactions through the system and monitoring how many rules were used and how many times. See, e.g., specification pages 16-17. Thus, claim 80 recites analyzing the quality of the rules and Courts discusses analyzing the needs of users. These functions are distinct.

The Examiner cites Harrison for disclosure of a system that tests a new strategy. Harrison, however, does not disclose testing the validity of rules using statistical analysis. In addition, Harrison discloses a system that uses evolutionary techniques to create new rules, for example, through simulated genetic crossover and mutation operations. Column 3, lines 20-34. In claim 80, the rules are not selected by combining other rules. Rather, rules are selected by using statistics to determine which rules were used the most.

Claims 81-84 recite limitations similar to those of claim 80 and are therefore patentable for at least the same reasons.

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Applicants respectfully posit that the pending claims have been distinguished from the art of record, and that all rejections of the claims have been overcome. Accordingly, Applicants respectfully request allowance of all claims. The Examiner is invited to please contact Applicants' agent at (650) 474-8400 should any questions arise.

Respectfully submitted,



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